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GOVERNMENT GAZETTE

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GOVERNMENT OF GOA, DAMAN

AND DIU

Revenue Department

Notification

RD/LQN/NOT/380/66-70

Below Government notification No. F.2/8/68-UTL, dated 1st January, 1970, issued by the Government of India, Ministry of Home Affairs, New Delhi is hereby published for general information:

V. Sardesai, Under Secretary (Revenue).

Panaji, 17th January, 1970.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

Notification

F.2/8/68-UTL

New Delhi-1, the 1st January, 1970.

S. O. — In pursuance of clause (1) of article 239 of the Constitution, and in partial modification of the notification of the Government of India in the Ministry of Home Affairs No. S. O. 3371, dated the 1st November, 1966, in so far as it relates to the exercise of powers and functions under the Land Acquisition Act, 1894 (1 of 1894) by the Administrator of the Union territory of Himachal Pradesh, and in supersession of the notifications of the Government of India in the Ministry of External Affairs No. S. O. 3165, dated the 5th November, 1963, and in the Ministry of Home Affairs Nos. S. O. 190, dated the 8th January, 1964, S. O. 3953, dated the 21st December, 1966 and S. O. 3612, dated the 8th October, 1968, the President hereby directs that, subject to his control and until further orders, the powers and functions of the appropriate Government under —

- (i) the Land Acquisition Act, 1894 (1 of 1894), except those of the Central Government.

under the provisos to sub-section (1) of section 55, and

- (ii) the Land Acquisition (Companies) Rules, 1963,

shall also be exercised and discharged by the Administrator of every Union territory (whether known as the Administrator, Chief Commissioner or the Lieutenant Governor), within the respective Union territories.

Sd/-

P. N. KAUL

Deputy Secretary to the Government of India.

Law and Judicial Department

Notification

LD/2/N-72/70

The Wakf (Amendment) Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 2nd December, 1969, is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 6th January, 1970.

The Wakf (Amendment) Act, 1969

AN

ACT

further to amend the Wakf Act, 1954.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows: —

1. Short title. — This Act may be called the Wakf (Amendment) Act, 1969.

2. Amendment of section 2. — In section 2 of the Wakf Act, 1954 (herein- 29 of 1954.

after referred to as the principal Act), in the proviso, for the words, figures and brackets "the Durgah Khawaja Saheb Act, 1936 and the Durgah Khawaja Saheb (Emergency Provisions) Act, 1950, apply", the words and figures "the Durgah Khawaja Saheb Act, 1955, applies" shall be substituted. 23 of 1936.
17 of 1950.
36 of 1955.

3. Amendment of section 3.—In section 3 of the principal Act, for clause (g), the following clause shall be, and shall be deemed always to have been, substituted, namely:—

'(g) "net annual income", in relation to a wakf, means the gross income thereof from all sources in a year excluding only—

(i) land revenue, cess, rates and taxes payable to the Government or any local authority; and

(ii) donations given or offerings made with a specific direction that they shall form part of the corpus of the wakf:

Provided that the interest or income, if any, accruing from such donations or offerings shall be taken into account in calculating the gross annual income;'

4. Amendment of section 4.—In section 4 of the principal Act, in sub-section (3),—

(a) after the words "submit his report", the words "in respect of wakfs existing at the date of the commencement of this Act in the State or any part thereof," shall be, and shall be deemed always to have been, inserted; and

(b) in clause (a), for the words "in the State", the words "in the State, or as the case may be, any part thereof" shall be, and shall be deemed always to have been, substituted.

5. Amendment of section 5.—In section 5 of the principal Act, in sub-section (2), for the words "existing in the State", the words "existing in the State, or as the case may be, the part of the State to which the report relates, and" shall be, and shall be deemed always to have been, substituted.

6. Amendment of section 6.—In section 6 of the principal Act, in sub-section (1),—

(a) for the words "whether a particular property is wakf property or not or whether a wakf is a Shia wakf or Sunni wakf", the words "whether a particular property specified as wakf property in a list of wakfs published under sub-section (2) of section 5 is wakf property or not or whether a wakf specified in such list is a Shia wakf or Sunni wakf" shall be, and shall be deemed always to have been, substituted; and

(b) after the proviso, the following proviso shall be inserted, namely:—

"Provided further that in the case of the list of wakfs relating to any part of the State and published or purporting to have been published before the commencement of the Wakf (Amendment) Act, 1969, such suit may be entertained by the civil court within the period of one year from such commencement."

7. Amendment of section 7.—In section 7 of the principal Act, in sub-section (1),—

(a) for the words "publication of the list of wakfs", the words "publication of the list or lists of wakfs" shall be substituted; and

(b) for the words "by all the mutawallis in proportion to the income of the property of the wakfs situated in the State", the words "by all the mutawallis of the wakfs the net annual income whereof exceeds one hundred rupees, in proportion to the net annual income accruing in the State to such wakfs" shall be substituted.

8. Amendment of section 8B.—In section 8B of the principal Act, in sub-section (1), the words "of the properties" and the words "of the property" shall be omitted.

9. Amendment of section 46.—In section 46 of the principal Act, in sub-section (1), for the words "net annual income of such of its property as is situate in the State", the words "net annual income accruing in the State to the wakf" shall be, and shall be deemed always to have been, substituted.

10. Special provisions as to certain lists of wakfs published under sub-section (2) of section 5.—Notwithstanding anything contained in any judgment, decree or order of any court to the contrary, and subject to the provisions of the second proviso to sub-section (1) of section 6 of the principal Act as amended by this Act, every list of wakfs purporting to be a list of wakfs existing at the date of the commencement of the principal Act in any part of a State and published or purporting to have been published under sub-section (2) of section 5 of the principal Act, before the commencement of the Wakf (Amendment) Act, 1969, shall be deemed to be, and shall be deemed always to have been, published in accordance with law.

11. Validation of contributions paid or realised under section 46.—Notwithstanding anything contained in any law or any judgment, decree or order of any court, all contributions paid or realised, or purporting to have been paid or realised, under section 46 of the principal Act, which would have been validly paid or realised if the amendments made to the principal Act by this Act were in force on the date of such payment or realisation, shall, for all purposes, be deemed to be, and shall be deemed always to have been, paid or realised in accordance with law, and accordingly—

(a) no suit or other legal proceeding shall be maintained or continued in any court for the refund of the whole or any part of the contribution so paid or realised; and

(b) no court shall enforce any decree or order directing the refund of the whole or any part of the contribution so paid or realised.

Notification

LD/2/N-73/70

The Essential Commodities (Amendment) Continuance Ordinance, 1969 (No. 10 of 1969), as pro-

mulgated by the President of India is hereby reproduced below for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 13th January, 1970.

**THE ESSENTIAL COMMODITIES (AMENDMENT)
CONTINUANCE ORDINANCE, 1969**

No. 10 of 1969

Promulgated by the President in the Twentieth Year of the Republic of India.

An Ordinance to continue the Essential Commodities (Amendment) Act, 1964 for a further period.

Whereas a Bill to continue the Essential Commodities (Amendment) Act, 1964 for a further period has been introduced in Parliament but has not yet been passed;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. Short title and commencement.—(1) This Ordinance may be called the Essential Commodities (Amendment) Continuance Ordinance, 1969.

(2) It shall come into force at once.

2. Continuance of Act 47 of 1964.—The duration of the Essential Commodities (Amendment) Act, 1964 is further extended for the period up to and including the 31st day of December, 1971 and accordingly, during the operation of this Ordinance, that Act shall have effect subject to the modification that in section 1 of that Act, in sub-section (3), for the words, figures and letters "the 31st day of December, 1969", the words, figures and letters "the 31st day of December, 1971" shall be substituted.

V. V. GIRI,
President.

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.

Food and Civil Supplies Department

ORDER

2-2/69/FCS-CS

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the order of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food)

No. G. S. R. III1, dated the 25th July, 1967 and with prior concurrence of the Central Government, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following orders so as to amend the Goa, Daman and Diu, Controlled Commodities (Regulation of Distribution) Order, 1966 namely:—

1. (i) This order may be called the Goa, Daman and Diu Controlled Commodities (Regulation of Distribution) (First Amendment) Order, 1969.

(ii) It shall come into force at once.

2. *Amendment to Schedule:*—After item number 7 in the Schedule to the Goa, Daman and Diu Controlled Commodities (Regulation of Distribution), order, 1966, the following item shall be added namely:—

"8 Milk Food".

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. H. Sakhalakar, Under Secretary (Planning).

Panaji, 6th January, 1970.

Labour and Information Department

ORDER

LC/24/IB/69

The following Notification from the Government of India, Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development) Central Boilers Board, New Delhi, is hereby republished for the information of all concerned.

By order and in the name of the Administrator of Gca, Daman and Diu.

V. R. Vaze, Under Secretary, Industries & Labour Department.

Panaji, 14th January, 1970.

Notification

BL-0(50)/66-EEI

Dated 21st November, 1969

In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following Regulations further to amend the Indian Boiler Regulations, 1950, the same having been previously published in the Gazette of India, Part II, section 3(i) dated 13-5-1967 as G.S.R. 678 dated 29-4-1967 on pages 777-778 thereof, as required by sub-section (1) of section 31 of the said Act, namely:—

1. These Regulations may be called the Indian Boiler (Sixth Amendment) Regulations, 1969.

2. In the Indian Boiler Regulations, 1950, in regulation 382, in clause (a) to the list of

State/Union Territory with their distinguishing letters, after the entry "Gujarat.....GT", the following shall be inserted, namely:—

"Haryana HA"

Sd/-

P. J. MENON

Secretary, Central Boilers Board.

ORDER

LC/12/EPF/70

The following notifications from the Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, New Delhi are hereby republished for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. R. Vaze, Under Secretary, Industries & Labour Department.

Panaji, 14th January, 1970.

Notification

PF.II-3(11)I/58

Dated 23rd December, 1969

G. S. R. — In exercise of the powers conferred by clause (b) of sub-section (3) of section 1 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby specifies every establishment which is exclusively or principally engaged in general insurance business, employing 20 or more persons as a class of establishments to which the said Act shall apply with effect from the 31st January, 1970.

Sd/-

DALJIT SINGH

Under Secretary.

Notification

PF.II-3(11)II/58

Dated 23rd December, 1969

G. S. R. — In exercise of the powers conferred by section 5, read with sub-section (1) of section 7 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

- (1) This Scheme may be called the Employees' Provident Funds (Seventh Amendment) Scheme, 1969.

- (2) In the Employees' Provident Funds Scheme, 1952, in clause (b) of sub-paragraph (3) of paragraph 1, sub-clause (1xvi) shall be renumbered as sub-clause (1xvii) and before sub-clause (1xvii) as so renumbered, the following sub-clause shall be inserted, namely:—

"(1xvi) as respects establishments which are exclusively or principally engaged in general insurance business come into force on the 31st day of January, 1970;

Sd/-

DALJIT SINGH

Under Secretary.

Public Health Department

Notification

A-9/69-DHS/10244

Government of India, Ministry of Health, Family Planning, Works, Housing and Urban Development's Notification No. F.1-25/69-D, dated 9-12-69 as published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (ii) is hereby republished for general public information.

V. R. Vaze, Under Secretary (Health).

Panaji, 7th January, 1970.

Notification

In exercise of the powers conferred by Section 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), the Central Government hereby makes the following rules further to amend the Drugs and Cosmetics Rules, 1945, the same having been previously published as required by the said sections, namely:—

1. (i) These rules may be called the Drugs and Cosmetics (Sixth Amendment) Rules, 1969.
- (ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the Drugs and Cosmetics Rules, 1945, in rule 65, in sub-paragraph (c) of paragraph (ii) of the Explanation to Clause (15), for the words, figures and letters "the 30th September, 1960", the following words, figures and letters shall be substituted, namely:—

"the 31st December, 1969".

Sd/-

P. I. CHHABRA

Deputy Secretary to the Government of India.